

MINUTES OF THE TOBACCO MASTER SETTLEMENT AGREEMENT
COMPLIANCE ADVISORY BOARD MEETING
March 17, 2021

The seventy-fifth meeting of the Tobacco Master Settlement Agreement Compliance Advisory Board was convened by conference call on March 17, 2021, at the Office of the Attorney General, 700 Capitol Avenue, Frankfort, Kentucky.

The meeting was attended by the following:

Michael Plumley – Attorney General’s Office
Dave Wilkerson – Department of Alcoholic Beverage Control
Clint Quarles – Department of Agriculture
Corey Krill– Kentucky Retail Federation

I. Meeting called to Order by Michael Plumley.

II. Minutes adopted from previous meeting.

III. Old Business

A. E-Cigarettes

- E-cigarettes were added to the PACT Act as of March 27, 2021. This will prohibit mailing of if regulations are updated and requires shippers to report monthly to states all shipments of e-cigarettes. UPS and Fed Ex planned to end shipping them by April 21.

B. NPM Adjustment Settlement

- Data Clearinghouse final report determined no added adjustment for Kentucky for 2019.

C. FDA Action

- Challenge to final rules on graphic warnings pending decisions in federal courts. Warnings delayed to June, 2022.
- Lawsuit filed by health groups in June seeks to require FDA action on menthol as a flavor in tobacco products. Decision to be announced April 29, 2021.

D. Kentucky Smoking Education Funding

- Funding cut in current budget despite Kentucky spending only 6% of the CDC recommended amount for smoking education.
- Kentucky's MSA payment of over \$115 million to be received in April.

IV. New Business

A. "Stopping Menthol, Saving Lives"

- Major report issued by Campaign for Tobacco-Free Kids describes evidence of targeting of the African-American community with menthol marketing by companies and the health disparities caused by this targeting.

B. American Lung Association 2021 State of Tobacco Control

- Annual report for each state.
- Kentucky costs of smoking: 8,800 deaths and \$1.9 billion economic.
- Recommendations include ending preemption of local smoking regulation and increased spending on tobacco control.

V. Meeting adjourned.

Next meeting tentatively scheduled for June 16, 2021.